



Texas Probation Association (TPA)

Juvenile Discipline

James "Bubba" Martin, Legislative Co-Chair - (409) 722-7474

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December 19, 2008

The Honorable Carl Isett, Chairman
Texas Sunset Advisory Commission
1501 N. Congress Avenue
6th Floor Robert E. Johnson Bldg.
Austin, Texas 78701

Dear Chairman Isett & Members of the Sunset Advisory Commission:

Thank you for your sincere attention relating to the juvenile corrections systems during the public hearing held on December 16th.

As practitioners of the juvenile system, our primary goal is to protect Texas youths and redirect them to successful lives. We truly appreciate your genuine interest and understanding by allowing many probation professions and stakeholders in the field to a fair and objective public hearing.

For your records and reference, the Texas Probation Association is submitting its final revised position paper with the stated recommendations noted during the public hearing.

- We respectfully request the consideration of two amendments to the Human Resource Code, Section 141 to allow juvenile practitioners membership participation to allow the juvenile justice system a more accountable and efficient programming. Our recommendations would include probation officials to membership of the Texas Juvenile Probation Commission Board. The other important provision would be to create a Standards Development Committee to serve as advisors to the TJPC Board for the purpose to develop and recommend policy on issues important to the juvenile justice system.
- TPA Response to Sunset Advisory Commission Staff Report with Recommendations (See Attachment)

Again, we truly appreciate your leadership and look forward to working closely with you and your staff during the 81st State Legislature.

Sincerely,

Mark Williams
TPA Legislative Co-Chair

James Martin
TPA Legislative Co-Chair

Attachment



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TPA Position Paper

Sunset Advisory Commission

December 19, 2008

Overview:

The Texas Probation Association consists of Adult and Juvenile Probation Practitioners, Judges, and Facility Administrators striving to improve training opportunities, funding and programming in the State of Texas to ensure that the courts of the State have the very best alternative to incarceration possible for adult and juvenile offenders.

The Texas Probation Association has always supported local decision making and local control of juvenile probation services because over the years it has served the children of Texas very well. We support the legislators in their concern and efforts to make the Texas Juvenile Justice System the best in the nation and solve the problems that have existed in the management of the Texas Youth Commission.

We do not feel like consolidation is the best method of accomplishing this and are concerned that without safeguards in place, the 168 local probation departments who supervise 95% of the juvenile offenders would not be able to continue the successful rehabilitation of children that has been a bulwark of the system since the 1995 legislative changes and the successes that we have experienced could be completely eroded.

The Texas Probation Association has always been a leader in innovation and we as an association are always willing to support positive change. We do not believe that consolidation is the positive change that is needed at this time.

TPA's Response to TX Sunset Advisory Recommendations: Key Findings: Favorable

Texas Probation Association supports the Legislature in its concern and efforts to make the Texas juvenile justice system the best in the nation and solve the problems that have existed in the management of the Texas Youth Commission.

TPA's Response to TX Sunset Advisory Commission: Recommendation #1: Not Favorable

- **Abolishment of TYC & TJPC**

Why?

Since 1995, the re-codification of the Juvenile Code, the juvenile probation system has demonstrated its ability to protect communities and provide a variety of programs and resources to the juvenile courts to effectively and efficiently treat and rehabilitate juvenile offenders while decreasing commitments to the Texas Youth Commission.

TPA's Response to TX Sunset Advisory Commission: Recommendation: #2 Favorable

We agree that services can be rendered more appropriately and based on the individual child by modifying state funding for probation services by consolidating funding streams.

Why?

In the last several sessions there have been funds made available to probation departments across the state, but some of the funding does not allow the individualized services that juveniles need in different areas of the state. Modification would allow more local control of service provision based on the individual needs of the child.

TPA's Response to TX Sunset Advisory Commission Staff Recommendations:

- **Respectfully request the following two recommendations to be considered and voted by the Texas Sunset Advisory Commission, Board Members in their final meeting on January 14, 2009.**

TYC and TJPC may indeed need to communicate and work together better on the State Level and coordinate future planning. The Juvenile Probation System in Texas made up of 168 departments would like to aid this process in the following way:

- **We respectfully request Sunset Commission to consider recommendation to the 81st Legislature to statutorily changing the composition of the TJPC Board to include practitioners, i.e., Three Chiefs representing large, medium, and small county juvenile probation departments and create a Standards Development Committee.**

Amend the following Human Resource Code, Subchapter by adding the following provision.

SUBCHAPTER B. ADMINISTRATIVE PROVISION - Section 141.011., Composition of Commission;

- **To include three Juvenile Probation Directors representing large, medium and small juvenile departments.**

Why? This is the system in Texas that is working and receiving praise. This would bring more expertise to the board as a whole and allow more information flow from the field.

Additionally, we encourage the composition of a Standards Development Committee to allow active participation of a combined body of representative juvenile justice professionals to review, recommend, and develop standards that will enhance the existing juvenile probation system and continue to improve local programs and policies that provide protection for the public and the rehabilitation of the state's juvenile offenders.

Amend the Human Resource Code by adding the following provision:

SUBCHAPTER C. Powers and Duties of Commission, Sec. 141.0421 Standards Relating to Local Probation Departments;

- **Create Standards Development Committee to include: officers, membership, roles and responsibilities. The Chairman of the Standards Development Committee shall report to the Texas Juvenile Probation Commission Board. The Chairman of the Standards Development Committee shall hold meetings as designated with membership on the following: *Relating to policy, juvenile corrections practices, detention, long/short term strategic planning, fiscal management, audits and coordination; human resources, training and development and resolutions.***

Why? *Again, this is the system in Texas that is working and receiving praise. This would bring more expertise to this process and improve the quality of services statewide.*

Suggested Funding Needs:

Areas to consider for increased funding to improve local services - Average Cost Per Biennium

<i>--Replacement of Lost Federal IV-E Funding to Probation Departments</i>	\$34 M
<i>--Juvenile Case Management System (state/county database mgt. & collections)</i>	\$4.5 M
<i>--JJAEP Funding for Mandatory Attendance (Grants)</i>	\$1.3M
<i>--Mental Health Assessments and Services (Grants) ... pre/post adjudication</i>	\$6.5M
<i>--Juvenile Case Management System: Statewide data collections, intake & mgt. system</i>	\$4.5M

(End of Position Paper)